IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
CRIMINAL APPLICATION NO.4057 OF 2006

Sandip Chimmanlal Shah ...Applicant

vs.

1.The Superintendent of Police
2.Central Bureau of Investigation ...Respondents

Mr.Girish Kulkarni with Ms Swati Desphpande for the Applicant
Mr.D.P.Adsule, A.P.P. for State
Mr.Gul Aswani for Central Bureau of Investigation.

CORAM: A.S.OKA,J.
DATE : NOVEMBER 20,2006.

P.C.:

. Not on board. Taken on board.

1. This Application was on board on Friday 17th November 2006. This Application was adjourned and was directed to be placed high on board on 20-11-2006. Notwithstanding the aforesaid specific direction of this Court, this Application was not even placed on board. Therefore, papers of this Application are allowed to be produced at 3.00 p.m. The Registrar (Judicial-I) will ascertain the reasons for not placing the matter on board and will submit a report within a period of two weeks from today.

2. Heard learned Counsel for the Applicant and the learned Counsel for the Respondent-C.B.I. The learned Counsel for the Respondent on instructions of the Investigating Officer states that a sincere endeavour will be made to complete the

investigation within a period of three months from today.

3. In view of this assurance, the learned Counsel for the Applicant seeks permission to withdraw this Application with liberty to file a fresh Application for the same relief before the Trial Court on expiry of period of three months from today. The prayer is reasonable.

4. Hence, Application is disposed of by passing the following order :

i) Application is dismissed as withdrawn with liberty to the Applicant to apply afresh before the Trial Court for the relief claimed in the Application after expiry of the period of three months from today. If such Application is made, the learned Trial Judge will decide the same on its own merits without being influenced by the observations made in the impugned order.

JUDGE